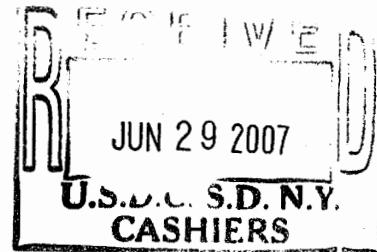


07 CV 6124

**JUDGE SWAIN**

BLANK ROME, LLP  
 Attorneys for Plaintiff  
 MATRIX GAS TRADING LIMITED  
 Richard V. Singleton III (RS 9489)  
 Jack A. Greenbaum (JG 0039)  
 The Chrysler Building  
 405 Lexington Ave.  
 New York, NY 10174-0208  
 (212) 885-5000

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK



MATRIX GAS TRADING LIMITED,

Plaintiff,

-against-

HOANG DAT CO. LTD. (CONG TY TNHH  
 HOANG DAT),

Defendant.

07 Civ.

**VERIFIED COMPLAINT**

Plaintiff, MATRIX GAS TRADING LIMITED ("Plaintiff"), by its attorneys, Blank Rome, LLP, complaining of the above-named Defendant, HOANG DAT CO. LTD. (CONG TY TNHH HOANG DAT) ("Defendant"), alleges upon information and belief as follows:

1. This is a case of admiralty and maritime jurisdiction, as hereinafter more fully appears, and is an admiralty or maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure. The Court has admiralty jurisdiction under 28 U.S.C. §1333.
2. At all material times, Plaintiff was and now is a Marshalls Island corporation with its offices at Trust Company Complex, Ajeltake Island, Ajetake Road, Majuro 96960, Marshall Islands, and the owner of the vessel GAS SHANGHAI.

3. At all material times, Defendant was and is a corporation or other business entity organized and existing under the laws of Vietnam or another foreign state, with its offices at 87 Pho Dien Phu, Haipong Vietnam, and the owner of the vessel HOANG DAT 36. Defendant has no office or place of business within this Judicial District.

4. On or about May 15, 2007, while transiting the River Saigon, Hochiminh City, Vietnam, Defendant's vessel, the HOANG DAT 36, came into collision with and injuring Plaintiff's vessel, the GAS SHANGHAI.

5. The aforesaid collision was caused by the negligence and fault of the Defendant's vessel, the HOANG DAT 36, and its officers and crew, who were Defendant's employees and/or agents, and for whose negligence or fault Defendant is liable.

6. As a consequence of the aforesaid collision, Plaintiff has sustained damages in the amount of US\$3,205,000, plus anticipated recoverable interest of US\$512,479.50 at 5.33% per year for three years, and recoverable legal costs of US\$200,000, no part of which has been paid by Defendant although duly demanded. Plaintiff's claim, for which it seeks Process of Maritime Attachment and Garnishment, is in the sum of US\$3,917,479.50.

7. Plaintiff has provided security to Defendant for its alleged counterclaims in the sum of US\$4.3 million, but Defendant has not provided countersecurity, despite Plaintiff's demand. Therefore, Plaintiff was compelled to arrest one of Defendant's other vessels, but Defendant has nevertheless failed to provide countersecurity. The arrested vessel has a value substantially less than the amount of Plaintiff's claim, and, it is believed, may be subject to a prior mortgage that reduces its utility as security for Plaintiff's claim.

8. Defendant cannot be found within this district within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, but Defendants are believed to have or will have during the pendency of this action, assets within this district consisting of cash, funds, freight, hire credits in the hands of garnissees in this District, including but not limited to electronic fund transfers.

**WHEREFORE**, Plaintiff prays:

A. That process in due form of law issue against the Defendant, citing it to appear and answer under oath all and singular the matters alleged in the Complaint;

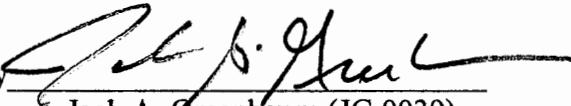
B. That since the Defendant cannot be found within this District pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, this Court issue an Order directing the Clerk of Court to issue Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, attaching all of Defendants' tangible or intangible property or any other funds held by any garnishee in the district which are due and owing or otherwise the property of to the Defendant up to the amount of US\$3,917,479.50 to secure the Plaintiff's claims, and that all persons claiming any interest in the same be cited to appear and pursuant to Supplemental Admiralty Rule B answer the matters alleged in the Complaint;

C. That this Court award Plaintiffs their damages or retain jurisdiction over this matter through the entry of a judgment in a foreign court of competent jurisdiction.

D. That Plaintiff may have such other, further and different relief as may be just and proper.

Dated: New York, NY  
June 29, 2007

Respectfully submitted,  
BLANK ROME, LLP  
Attorneys for Plaintiff

By   
Jack A. Greenbaum (JG 0039)

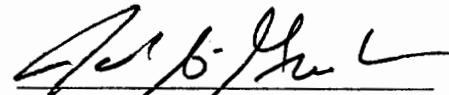
The Chrysler Building  
405 Lexington Ave.  
New York, NY 10174-0208  
(212) 885-5000

**VERIFICATION**

STATE OF NEW YORK )  
: ss.:  
COUNTY OF NEW YORK )

JACK A. GREENBAUM, being duly sworn, deposes and says:

1. I am a member of the firm of Blank Rome, LLP, attorneys for Plaintiff.
2. I have read the foregoing Complaint and I believe the contents thereof are true to my knowledge and belief. The sources of my knowledge and belief are communications from Plaintiff's representatives.
3. The reason this verification is made by Deponent and not by Plaintiff is that Plaintiff is a foreign company, no officers or employees of which are presently in this judicial district.



Jack A. Greenbaum

Sworn to before me this  
29<sup>th</sup> day of June 2007



Notary Public

ELAINE BONOWITZ  
Notary Public, State of New York  
No. 43-4893320  
Qualified in Richmond County  
Certificate Filed in New York County  
Commission Expires May 11, 2014

BLANK ROME, LLP  
Attorneys for Plaintiff  
MATRIX GAS TRADING LIMITED  
Richard V. Singleton II (RS-9489)  
Jack A. Greenbaum (JG 0039)  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MATRIX GAS TRADING LIMITED,

Plaintiff,

-against-

HOANG DAT CO. LTD. (CONG TY TNHH  
HOANG DAT),

Defendant.

07 Civ.

**AFFIDAVIT UNDER  
SUPPLEMENTAL RULE B**

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NEW YORK )

JACK A. GREENBAUM, being duly sworn, deposes and says:

1. I am a member of the Bar of this Honorable Court and a member of the firm of Blank Rome, LLP, attorneys for the Plaintiff herein. I am familiar with the circumstances of the complaint and submit this affidavit in support of Plaintiff's request for the issuance of process of maritime attachment and garnishment of the property of defendants, ("Defendants"), foreign corporations, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

2. Defendant is a party in a collision incident and is a foreign corporation with offices in Vietnam and no offices or place of business within this judicial district.

3. Under my supervision, my office did a search of the New York State Secretary of State, Division of Corporations, the Transportation Tickler, telephone assistance, and a general internet search.

4. In our search, we did not find any listing or reference to Defendant in this judicial district or the state of New York. In the circumstances, I believe Defendant cannot be found within this district.

  
\_\_\_\_\_  
JACK A. GREENBAUM

Sworn to before me this  
29<sup>th</sup> day June, 2007

  
\_\_\_\_\_  
Notary Public

ELAINE BONOWITZ  
Notary Public, State of New York  
No. 43-4893320  
Qualified in Richmond County  
Certificate Filed in New York County  
Commission Expires May 11, 2011